

1 Hon. James L. Robart
2 Hon. Michelle L. Peterson
3
4
5
6
7
8

9 UNITED STATES DISTRICT COURT FOR THE
10 WESTERN DISTRICT OF WASHINGTON
11 AT SEATTLE

12 CHIRAG PATEL,

13 Petitioner,

v.

14 WILLIAM P. BARR, United States
15 Attorney General; et al.,

16 Respondents.

17 NO. 2:20-cv-00423-JLR-MLP

18 Stipulated Motion to Dismiss
19 Habeas Petition and Lift Order
20 Staying Removal

21 Note on Motion Calendar: April
22 20, 2020

23 Petitioner Chirag Patel (Mr. Patel) and Respondents stipulate and move to
24 dismiss Mr. Patel's habeas petition and lift the stay of removal under Federal Rule
25 of Civil Procedure 41(a)(1)(A)(ii) and Local Civil Rule 10(g), without fees or costs.
26 Mr. Patel's habeas petition sought review of U.S. Citizenship and Immigration
27 Service's (USCIS) and an immigration judge's determination that he lacked a
28 credible fear of persecution or torture if he returned to India. Dkt. no. 1. He also
sought and obtained an order temporarily staying his removal. Dkt. nos. 2 & 4.
USCIS has since placed Mr. Patel in full removal proceedings following a

1 determination that he has a credible fear of persecution or torture. As such, he is
2 no longer subject to an order of removal and the Court's order staying removal
3 should be lifted. Accordingly, the parties stipulate as follows:
4

- 5 1. Mr. Patel's habeas petition is dismissed without prejudice;
- 6 2. This Court's temporary stay of Mr. Patel's removal [dkt. no. 4] is lifted;
7 and
8
- 9 3. All parties shall bear their own attorney fees and costs.

10 DATED this 20th day of April 2020.

11
12
13
14 Respectfully submitted,
15 BRIAN T. MORAN
16 United States Attorney

17 s/ Jeffrey B. Goldman
18 JEFFREY B. GOLDMAN, WSBA #39747
19 Law Office of Jeffrey Goldman, PLLC
20 1001 Fourth Ave., Suite 3200
21 Seattle, WA 98154
22 Phone: 206-488-9030
23 Fax: 888-282-6930
24 Email: Jeff@jeffgoldmanlaw.com
25 Attorney for Petitioner

26 s/ Kyle A. Forsyth
27 KYLE A. FORSYTH, WSBA #34609
28 Assistant United States Attorney
United States Attorney's Office
700 Stewart Street, Suite 5220
Seattle, Washington 98101-1271
Phone: 206-553-7970
Fax: 206-553-4067
Email: kyle.forsyth@usdoj.gov

21 IT IS SO ORDERED.
22

23 ENTERED this 21st day of April 2020
24

25 
26 Hon. James L. Robart
27 United States District Court Judge
28